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SUBJECT: COLOMBIA MAKES PROGRESS IN FIGHT AGAINST IMPUNITY

Classified By: Political Counselor John S. Creamer. Reason: 1.4(b,d)

SUMMARY

¶1. (U) The Prosecutor General's Office (Fiscalia) and Colombian National Police (CNP) recently made several high-profile arrests of military and police officials linked to human rights abuses and other crimes. The Fiscalia detained highly decorated, former Army General Rito Alejo del Rio after Justice and Peace Law (JPL) testimony produced new evidence implicating him in the murder of a community leader in Choco. Testimony from the JPL process also led to further arrests of 17th Brigade officers tied to the February 21, 2005 massacre of eight civilians from the San Jose de Apartado peace community. CNP investigations resulted in the detention of numerous military and CNP personnel allegedly involved in murders and other crimes in Antioquia, Choco, Cordoba, and Valle de Cordoba departments. The arrests highlight continued GOC progress in the fight against impunity. End Summary.

ARREST (AGAIN) OF GENERAL DEL RIO

¶2. (U) Four years after the Fiscalia found there was insufficient evidence to charge retired General Rito Alejo del Rio with colluding with paramilitaries, prosecutors arrested del Rio on homicide charges. Del Rio commanded the 17th Brigade in Uraba (Antioquia) from 1995-1997, and was linked by human rights groups and others to numerous civilian deaths. He was briefly detained on charges of collusion with paramilitaries in 2001; the Fiscalia dropped the charges in 2004 due to lack of evidence. The Fiscalia brought the new homicide charge based on JPL testimony by former paramilitary leaders Ever Veloza and Salvador Mancuso. The testimony implicates del Rio in the disappearance and murder of community leader Marino Lopez in the Choco in 1997. The Procuraduria (Inspector General) and Fiscalia have also asked the Supreme Court to allow the Fiscalia to reopen its earlier case against del Rio.

¶3. (C) Former President Pastrana dismissed del Rio from the Army in 1999 due to his collusion with paramilitaries. We revoked his visa in 1999 on the same grounds. Former Prosecutor General Camilo Osorio's handling of the del Rio case from 2001-2004 was controversial, prompting the resignations of several Fiscalia Human Rights Unit prosecutors. The Committee of Accusations in Congress is investigating Osorio, who is Colombia's current Ambassador to Mexico, for his role in the del Rio case. Despite del Rio's checkered past, military and civilian leaders held a dinner in his honor in 1999 in Bogota at which President Alvaro Uribe was the main speaker. Uribe was Governor of Antioquia

from 1995-97 and worked with del Rio. Former GOC anti-corruption Czar and current opposition Senator Rodrigo Lara told us del Rio--in an effort to reduce his sentence--may provide evidence tying Uribe to paramilitary activities.

ARRESTS OF 3 COLONELS LINKED TO CIVILIAN DEATHS

¶4. (U) Colombian authorities arrested two former 17th Brigade officers--Mayor Jose Castano Lopez and Colonel Orlando Espinosa--for their alleged participation in the February 21, 2005 massacre of eight civilians, including three children, linked to the San Jose de Apartado peace community. The arrests were based on JPL testimonies by demobilized paramilitaries from the Bloque de Bananeros, as well as the testimony of incarcerated Army Captain Guillermo Gordillo. Gordillo has already pleaded guilty to participating in the massacre. The Fiscalia is continuing its investigation into the crime.

¶5. (U) The Fiscalia also ordered the arrest of Colonel Jaime Arturo Remolina Montalvo for his alleged role in the murder of day laborer Luis Alfonso Hernandez in Mutata (Antioquia) in August, 1998. The military later claimed Remolina was a guerrilla killed in combat. Meanwhile, a court in Cauca department sentenced three former military officers to 18 years in jail for the murder of an indigenous, Paez leader in Cauca in 1998.

ARRESTS LINKED TO NARCOTICS RINGS

¶6. (U) On August 26, a joint operation involving the CNP Anti-Narcotics unit and a U.S. Drug Enforcement Agency-supported CNP investigative unit targeting Daniel Rendon's (Don Mario) criminal group led to the arrest of 10 individuals. Those arrested included 17th Brigade Army Captain Duvan Hernandez Tabres, Army Lieutenant Rolando Hernandez, CNP Lieutenant Freddy Burgos, and Patrolman Carlos Gonzalez. The four security forces personnel and six civilians are charged with murder, conspiracy and terrorism. The ten were linked to the killings of a CNP Lieutenant and a patrolman, as well as the murders of three civilians in Turbo (Antioquia). The ten were also tied to the murders of two civilians in Carepa (Antioquia) and in Bijao (Cordoba). In a later action, the CNP detained fourteen additional policemen for allegedly colluding with narco-traffickers in Antioquia, Cordoba, and Valle de Cauca departments.

NICHOLS